

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DEBRA BEYAH,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.:
)	1:06-cv-00659-CSC
)	
WAL MART STORES, INC.,)	JURY DEMAND
)	
Defendant.)	
)	
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REPORT OF PARTIES' RULE 26 PLANNING MEETING

1. Appearances:

Pursuant to Fed.R.Civ.P. 26(f), a meeting of the parties' representatives was held via telephone on September 28, 2006.

a. Appearing on behalf of plaintiff:

Temple D. Trueblood; Wiggins Childs, Quinn & Pantazis, L.L.C.

b. Appearing on behalf of defendant:

Charlotte K. McClusky; Littler Mendelson, P.C.

2. Parties:

a. The plaintiff shall have until January 15, 2007, to join any additional parties.

b. The defendant shall have until February 15, 2007, to join any additional parties.

3. Pleadings:

a. The plaintiff shall have until January 15, 2007, to amend the pleadings.

b. The defendant shall have until February 15, 2007, to amend the pleadings.

4. Dispositive Motions:

All potentially dispositive motions must be filed no later than June 1, 2007.

5. Expert Testimony:

Unless modified by stipulation of the parties, the disclosure of expert witnesses -including a complete report under Fed.R.Civ.P. 26(a)(2)(B) from any specially retained or employed expert - are due:

- a. From the plaintiff: June 1, 2007;
- b. From the defendant: July 2, 2007;

6. Discovery Limitations and Cutoffs: The parties jointly propose to the Court the following discovery plan:

Discovery is needed on the following subjects: liability, defenses and damages.

Settlement cannot be realistically evaluated prior to substantial discovery.

- a. Unless modified by stipulation of the parties:

Depositions:

Maximum of 10 depositions by plaintiff and 10 depositions by defendant, with a maximum time limit of 7 hours per deposition, unless extended by agreement of the parties.

Interrogatories:

Maximum of 30 by each party, with responses due within 30 days after service.

Request for Admission:

Maximum of 25 by each party, with responses due within 30 days after service.

Supplementation:

Supplements under Fed.R.Civ.P. Rule 26(e) are due 30 days before the close of discovery.

- b. Pre-discovery disclosure: The parties shall exchange the information required by Local Rule 26.1(a)(1) by October 19, 2006.
- c. Unless modified by court order for good cause shown, all discovery must be commenced in time to be completed by August 3, 2007.

7. Pre-trial conference:

The parties request a final pretrial conference on September 3, 2007.

8. Trial:

This case should be ready for trial by October 1, 2007, and at this time is expected to take approximately 3-4 days for trial.

9. Final lists:

Final lists of trial witnesses and exhibits under Fed.R.Civ.P. 26(a)(3) must be served and filed:

- a. By the plaintiff: Thirty (30) days before the trial date.
- b. By the defendant: Thirty (30) days before the trial date.

Objections are to be filed within 15 days after service of final lists of trial witnesses and evidence.

10. Scheduling Conference:

The parties do not request a scheduling conference prior to the entry of the Scheduling order.

- 11. Counsel for the plaintiff has given defendant's counsel permission to submit hereon her electronic signature for submission to the Court.

Respectfully submitted this 6th day of October 2006.

/s/ Charlotte K. McClusky
Charlotte K. McClusky
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Counsel for Defendant

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